

Book Review

Ending Welfare Mythology as We Know It

Making Ends Meet: How Single Mothers Survive Welfare and Low-Wage Work, Kathryn Edin and Laura Lein. New York: Russell Sage Foundation, 1997. Pp. xxxi, 305. \$42.50 (hbk.), \$19.95 (pbk.).

Robert A. Solomon[†]

As recently as a few months ago, I was full of anecdotes of my own experience with welfare and welfare reform based on years of representing low-income clients as a legal-services lawyer and clinical teacher. Since I read *Making Ends Meet*,¹ however, I have a new set of anecdotes, referring to the book several times a week. In discussions with students, I point out where Edin and Lein's findings agree (or disagree) with the students' own observations. I repeatedly ask colleagues if they have read the book. I reappraise my clients' work situations in terms of Edin and Lein's findings. My colleague Kathleen Sullivan and I decided to assign the book for our Spring Community Legal Services clinic, in which students provide legal services to low-income people in New Haven. In short, I have acted as though *Making Ends Meet* is a very important book. At the risk of courting hyperbole, *Making Ends Meet* may be the most important resource we have in trying to figure which road to take in our ongoing journey toward welfare reform.

Why is that? For one thing, welfare reform has been crippled by a pervasive willingness among policy makers to make critical decisions without empirical answers to basic questions. As one example, anyone who compares the size of welfare grants with actual housing costs knows it is virtually impossible for a welfare recipient to pay for housing without some additional subsidy beyond the welfare grant. This discrepancy is hardly a secret; several state courts have discussed the inability of families to obtain shelter on a welfare grant, given that welfare grants are often lower than market-rate housing.² Yet most recipients are unsubsidized, and we have little understanding of the questions posed by this anomaly.³

[†] Clinical Professor of Law, Yale Law School. I would like to thank Christine Barton and Dmitri Mehlhorn for their feedback and suggestions during their exceptional editing of this book review.

1. KATHRYN EDIN & LAURA LEIN, *MAKING ENDS MEET: HOW SINGLE MOTHERS SURVIVE WELFARE AND LOW-WAGE WORK* (1997).

2. See, e.g., *Savage v. Aronson*, 571 A.2d 696 (Conn. 1990) (holding that shelter emergencies created by funding deficiencies did not rise to the level of a constitutional violation); *Massachusetts Coalition for Homeless v. Secretary of Human Servs.*, 511 N.E.2d 603 (Mass. 1987) (finding that state Department of Public Welfare had a statutory obligation to provide housing for AFDC recipients who could not afford housing with federal welfare benefits); *Jiggets v. Grinker*, 528 N.Y.S.2d 462 (N.Y. App. Div. 1988) (holding that state law did not require social service agencies to provide shelter allowances equal to actual rents charged to AFDC recipients).

3. See Jason DeParle, *Learning Poverty Firsthand*, N.Y. TIMES, Apr. 27, 1997, §6 (Magazine), at 32.

This specific area of ignorance about welfare recipients' budgeting and survival techniques first led Kathryn Edin to the type of research that eventually produced *Making Ends Meet*. While Kathryn Edin pursued her graduate studies, Christopher Jencks, author of *The Homeless*⁴ and Edin's mentor,⁵ hired her to interview some welfare mothers he had contacted by telephone.⁶ During these interviews, Jencks and Edin were struck that the average welfare check of \$370 was about the same as rent in most cities; Jencks credits Edin with "forcing" him to examine the fact that welfare recipients lived on \$300-400 per month.⁷ Through their interviews, they sought to determine how welfare families survived.⁸

In his foreword to *Making Ends Meet*, Jencks attributes lack of public discussion about welfare recipients' inability to pay their bills to political expediency.⁹ Conservatives do not want to draw attention to the inadequacy of welfare grants, while liberals want to avoid publicizing the likelihood that recipients have additional, unreported income.¹⁰ Jencks refers to this lack of discussion as a conspiracy of silence that facilitates welfare cuts.¹¹ Jencks predicts that the recent change from AFDC to Temporary Assistance for Needy Families (TANF) will result in a significant worsening of single mothers' economic conditions, with the likelihood that legislators will enact new programs to help working single mothers but will not seek to replicate AFDC-type grants to non-working mothers.¹² He concludes his forward by considering the challenge of helping society's children in the coming age of welfare reform, and urges that "[a]nyone who wants to approach that challenge realistically should read *Making Ends Meet*."¹³ He's right.

I. Welfare Reform As We Know It

During the past few years, we have seen dramatic changes in entitlement programs at the federal, state, and local levels. With power shifting from the federal and local governments toward the state, most states have reacted by diminishing welfare benefits in amount, duration, and scope.¹⁴ Even before federal law ended welfare as we know it, the federal waiver process, originally intended to allow states to institute innovative programs, was used in recent years by states solely to restrict or limit benefits.¹⁵ Forty-three states were

4. CHRISTOPHER JENCKS, *THE HOMELESS* (1995).

5. See DeParle, *supra* note 3, at 32.

6. See *id.*

7. Christopher Jencks, *foreword* to KATHRYN EDIN & LAURA LEIN, *MAKING ENDS MEET: HOW SINGLE MOTHERS SURVIVE WELFARE AND LOW-WAGE WORK* at xii (1997).

8. See DeParle, *supra* note 3, at 32.

9. See Jencks, *supra* note 7, at xii.

10. See *id.*

11. See *id.*

12. See *id.* at xxvii.

13. *Id.*

14. See Jason DeParle, *The Welfare Evolution: U.S. Welfare System Dies As State Programs Emerge*, N.Y. TIMES, June 30, 1997, at A1.

15. See Susan Bennett & Kathleen A. Sullivan, *Disentitling the Poor: Waivers and Welfare*

granted federal permission to conduct such “welfare experiments.”¹⁶ These waivers, generally driven by efforts to contain costs, were granted with little scrutiny by the Department of Health and Human Services.¹⁷ And, of course, a few months ago new federal legislation dramatically limiting welfare benefits took effect all over the country.¹⁸

The result of this recent legislation is, depending on the news source of choice, either a stunning success or unqualified failure. Contradictory information is the currency of the day. Consider just a few of the reported facts and opinions: The welfare rolls have been dramatically reduced,¹⁹ with a 26 percent reduction nationwide,²⁰ and state officials are confident that “most” of the welfare recipients will replace lost benefits with earnings from employment.²¹ Or, the hopes of welfare officials are artificial.²² We are meeting our goals, with many welfare recipients obtaining meaningful jobs.²³ Or, we are meeting our goals only in those few states willing to provide community service jobs,²⁴ and we are not meeting our goals otherwise since the available jobs are too low-wage for anyone to support a family.²⁵ Or perhaps we are not meeting our goals because the private sector will only provide entry-level jobs.²⁶ “You’re going to see more women standing on the corner” and “there’s going to be more prostitution, more stealing.”²⁷ New strict work rules will force people into crimes, drugs, and prostitution, since “women gonna do what they gotta do.”²⁸ According to President Clinton, “the debate is over,” and welfare reform has worked, while Donna Shalala, his Secretary of Health and Human Services, asserts that “the real test” of keeping recipients employed is still to come.²⁹

Part of the problem lies with the media. News organizations, admittedly often the last to know what is happening, have not yet decided on the criteria

Reform, 26 MICH. J.L. REFORM 741 (1993).

16. See, e.g., John Harris & Judith Havemann, *Welfare Rolls Continue Sharp Decline: Percentage on Assistance Is Lowest Since 1970*, WASH. POST, Aug. 13, 1997, at A1.

17. See, e.g., Bennett & Sullivan, *supra* note 15, at 742-43.

18. See, e.g., Elizabeth Simpson, *Welfare Reform Goes to Work on Wednesday*, VA.-PILOT, Sept. 28, 1997, at A1.

19. See, e.g., Jason DeParle, *Getting Opal Caples to Work*, N.Y. TIMES, Aug. 24, 1997, §6 (Magazine), at 33.

20. See *id.*

21. See, e.g., Liz Halloran & Andrew Julien, *Welfare Cutoff Looming: Many Recipients Who Work Will Lose Cushion Saturday*, HARTFORD COURANT, Oct. 26, 1997, at A1 (quoting Joyce Thomas, Connecticut Commissioner of Social Services) (“I feel very confident that the direction the state is going will yield us the results we want: more people who can work.”).

22. See, e.g., *id.*

23. See, e.g., *id.*; see also Paul Glastris et al., *Was Reagan Right?*, U.S. NEWS & WORLD REP., Oct. 20, 1997, at 30 (“[W]ith welfare cases now falling off the rolls like autumn leaves, it’s becoming more and more evident that Reagan was right, sort of.”).

24. See, e.g., Jason DeParle, *States Replace Benefit System: Work Is Theme of New Welfare*, N.Y. TIMES, June 30, 1997, at A1.

25. See, e.g., *id.*

26. See, e.g., *id.*

27. *Id.* (quoting welfare recipient Esther Figueroa).

28. DeParle, *supra* note 19, at 33 (quoting Opal Caples).

29. Harris & Haveman, *supra* note 16, at A1.

by which to judge reform. Some newspapers emphasize the size of the welfare rolls,³⁰ while others concentrate on the quantity of available jobs,³¹ and still others examine job quality.³² Given such divergent standards for success, advocates on welfare reform issues have ample room to interpret the data on the success of the most recent federal welfare reform.

Advocates themselves, however, are also to blame for elevating ideological drama over pragmatic evidence. As both sides have disdained or manipulated data for years, they have not come to any consensus about whether welfare is primarily about charity or work. Charitable concern for the disadvantaged has coexisted uncomfortably with incentives for work since the Elizabethan Poor Laws, which were well established in Connecticut by 1650.³³ Under these laws, towns supplied food and shelter for the local poor, but those who refused to work could lose their children or be subject to "moderate whipping," meaning no more than ten lashes.³⁴ Although welfare programs this century have been a far cry from work houses and whipping, welfare opponents such as Charles Murray have continued to emphasize incentives, arguing that recipients were skilled at manipulating the system and made rational choices to maximize their benefits.³⁵ Conservatives who agree with Murray have not lost much sleep over the fact that social scientists, after spending countless hours with econometric data and analysis, have failed to substantiate the bulk of Murray's claims.³⁶

Although substance has been missing, ideological rhetoric has continued unabated into the most recent wave of welfare reform, reminding me of a case I observed over twenty years ago. During the mid-1970's, in a case Edin and Lein would appreciate, a Pennsylvania district attorney's office prosecuted its first welfare fraud case.³⁷ The defendant, a mother with two young children, was accused of collecting unreported child support while receiving a full welfare grant. Her defense was that she had reported her child support to her social worker, a welfare department employee. She testified that the social worker told her that she needed the money more than the state did, and further told her not to report the extra income to the income-maintenance worker, who was in charge of determining the size of the welfare grant. Had the defendant advised the income-maintenance worker of the child support, her welfare grant would have been reduced on a dollar-for-dollar basis. The social worker confirmed the defendant's testimony.

30. See, e.g., Halloran & Julien, *supra* note 21, at A1.

31. See, e.g., DeParle, *supra* note 19, at 33.

32. See, e.g., Bill Minutaglio, *State Risks U.S. Fines for Not Moving More Welfare Recipients into Work*, DALLAS MORNING NEWS, Oct. 8, 1997, at 26A.

33. See, e.g., *Moore v. Ganim*, 660 A.2d 742, 761 (Conn. 1995).

34. *Id.*

35. See CHARLES MURRAY, *LOSING GROUND* (1984).

36. See generally Robert Moffitt, *Incentive Effects of the U.S. Welfare System: A Review*, J. ECON. LITERATURE, Mar. 1992, at 1.

37. The author, who represented the defendant in unrelated civil matters, was present at these proceedings. Confidentiality concerns preclude any but the most anonymous references to the citation for this case.

The trial judge told me this was an open-and-shut case. The social worker's testimony was irrelevant. The defendant knew she had to report all outside income; she failed to do so and she had defrauded the state. He instructed the jury consistent with this view.

The jury, however, did not cooperate. In what might be considered a jury nullification, the defendant was acquitted. The judge did not dismiss the jury with the usual "thank you for performing your civic duty" speech; instead he spent a few minutes telling them how irresponsible they were.

The Pennsylvania trial presaged the modern welfare reform debate. The defendant welfare recipient, with a degree of skill in negotiating the welfare system, sought to maximize her resources. The judge wanted to punish this, perhaps wanting to end the woman's dependency, or perhaps feeling that strict interpretation of the law was more important than the obvious injustice of the case. The social worker was an advocate for (and facilitated) supplementing the welfare grants through child support. In that case, the jury was more sympathetic to the recipient than to the system.

Times have changed. Twenty years later, the jury, albeit in the form of Congress and state legislatures, no longer sympathizes with the woman. Unfortunately, welfare reform seems to be based more on a change in sympathies than on a reasoned analysis of empirical data.

II. A Simple Goal and the Willpower to Achieve It

Although media sources and welfare advocates continue to battle over the appropriate goals for welfare reform, politicians from the President to state legislators have identified the major problem as too many recipients staying on welfare for too long.³⁸ Given that definition of the primary problem with welfare, most modern welfare reform is a justifiable and logical response. If we define the problem as recipients receiving benefits for more than two years, limiting benefits to less than two years is sure to have the desired results. However, without placing too much emphasis on semantics, calling this "reform" is more rhetorical than accurate. "Reform" implies not just change, but improvement—removing faults or defects, introducing a better method. Instead, we have changed a bad system without first identifying precisely what was bad. It is as though we were driving the wrong way down a one-way street. As people started yelling, pointing at one-way signs, we made the first available turn, going the wrong way down a different one-way street. It would have been nice if we had looked before making another turn, instead of after.

Not surprisingly, early indications of success have become increasingly tainted with later indications of failure. Most dramatically, the welfare-reform heroine who graced the cover of the *New York Times Magazine* in 1994, had

38. See, e.g., Harris & Havemann, *supra* note 16, at A1; Tricia Vance, *Will County's Welfare Reform Work?: New Hanover Officials Eager to Try Out Own Experiment*, WILMINGTON STAR-NEWS, Nov. 30, 1997, at 1A.

by 1997 sunk back into depression and drug use.³⁹ Already, just three months after the effect of landmark federal legislation, fewer than half of the states are likely to meet the federal goal requiring work from 75 percent of two-parent families on welfare.⁴⁰ Unfortunately, although politicians are quick to endorse unrealistic solutions, they are slow to admit that pet legislation has failed. Even though the two-parent family goals are unrealistic and not particularly meaningful, since two-parent families represent only 7 percent of the national welfare caseload,⁴¹ the issue has great symbolic value. President Clinton does not want to appear soft on issues of work, and governors do not want to admit failure in meeting the first difficult federal deadline.⁴² Even the much-trumpeted successes of welfare reform may be misattributed; a study commissioned for the White House Council of Economic Advisors attributed about 40 percent of the decline in welfare rolls to the strong economy, 31 percent to state waivers, and 29 percent to other factors.⁴³

The prospects for the future may be gleaned partially from Michigan's experience in eliminating its General Assistance program. In October 1991, Michigan provided an average monthly General Assistance payment of \$144 plus food stamps to over 80,000 adults.⁴⁴ Forty-six percent of the recipients were women.⁴⁵ In October 1991, the Michigan legislature, at the initiative of Governor John Engler, terminated the program.⁴⁶ While the primary motive to ending the program was fiscal, the governor also talked in terms of ending "welfare dependency" by forcing "thousands of able-bodied people to find work."⁴⁷ At the time, the unemployment rate in Michigan was 9.7 percent, over 400,000 unemployed people.⁴⁸ About half of the General Assistance population had completed high school, 40 percent were over forty years old, almost half lived in Detroit and 61 percent had never worked.⁴⁹

By April 1992, less than a year after the implementation of the reforms, the Salvation Army estimated that the cuts had increased homelessness in Detroit by about 30 percent.⁵⁰ The head of the Wayne County Department of Social Services estimated the increase in homelessness at 50 percent.⁵¹

39. See Jason DeParle, *Welfare to Work: A Sequel*, N.Y. TIMES, Dec. 28, 1997, §6 (Magazine), at 14.

40. See, e.g., Jason DeParle, *Half the States Unlikely to Meet Goals on Welfare*, N.Y. TIMES, Oct. 1, 1997, at A1; Linda Feldmann, *Welfare Rolls Fall Far, but Snags Loom*, CHRISTIAN SCI. MONITOR, Sept. 18, 1997, at 1; Judith Havemann, *Beginning of Welfare's End*, PORTLAND PRESS HERALD, Sept. 21, 1997, at 1C.

41. See Feldmann, *supra* note 40, at 1.

42. See *id.*

43. See Harris & Havemann, *supra* note 16, at A1.

44. See Don Terry, *To Avoid Deficit, Michigan Ends Welfare to Some Adults*, N.Y. TIMES, Oct. 7, 1991, at A1.

45. See *id.*

46. See *id.*

47. See *id.*

48. See *id.*

49. See *id.*

50. See Jason DeParle, *Off the Rolls: The Sorrows, and Surprises, After a Welfare Plan Ends*, N.Y. TIMES, Apr. 14, 1992, at A1.

51. See *id.*

In 1993, two years after benefits were stopped, a study by the University of Michigan School of Social Work found that only 20 percent of the former General Assistance recipients were fully self-supporting.⁵² Thirty percent relied on other forms of governmental subsidies, primarily disability benefits.⁵³ Seventeen percent worked in odd jobs, such as raking leaves or collecting cans.⁵⁴ Sixteen percent received help from friends or family.⁵⁵ Four percent received unemployment insurance, workers compensation, or private pensions.⁵⁶ Twelve percent had no observable cash support of any kind.⁵⁷ The termination of the General Assistance program had put a greater burden on the federal government through the social security system and on the City of Detroit, as the homeless population grew dramatically.⁵⁸ As the state saved money on General Assistance, it spent more for emergency shelters.⁵⁹ In 1992, the year following the cuts, Detroit reported a 103 percent increase in demand for emergency shelter.⁶⁰ Most of the former recipients—poorly educated, in poor health, and relatively old—were simply poor candidates for full-time jobs.⁶¹ Critics of the Michigan plan estimated that the budget savings of \$240 million would be wiped out if only 10 percent of the General Assistance population wound up in prisons or mental hospitals.⁶²

The Michigan results are not an anomaly. Nationwide, the early signs are not good for those with the least resources. In December 1997, the Conference of Mayors reported that a survey of twenty-nine cities showed that requests for emergency food grew by 16 percent and emergency shelter by 3 percent in 1997.⁶³ The increase in food requests was the largest since 1992; the increase in shelter requests was the smallest in the survey's thirteen-year history.⁶⁴ According to officials in St. Paul, Minnesota, the housing increase is lower because admission criteria to shelters have been tightened and "the word is out that emergency shelter is not an option that a needy person can depend on."⁶⁵

While most of us would agree that housing and feeding people through mental health or prison systems is not what we mean by welfare reform, legislators seem all too willing to make broad pronouncements based on little or no data, content with shifting people from one category to another and then bragging about squeezing the balloon (while ignoring the bulge on the other

52. See Joyce Purnick, *When Welfare Is Gone: A Cautionary Message*, N.Y. TIMES, Feb. 27, 1995, at B3.

53. See *id.*

54. See *id.*

55. See *id.*

56. See *id.*

57. See *id.*

58. See *id.*

59. See *id.*

60. See Sandra D. Hauser, Letter to the Editor, *Experience Says Welfare Cuts Lead to Poverty*, N.Y. TIMES, Apr. 10, 1995, at A14.

61. See Purnick, *supra* note 52, at B3.

62. See DeParle, *supra* note 50, at A1.

63. See *Calls Rising for Food and Housing*, N.Y. TIMES, Dec. 15, 1997, at A16.

64. See *id.*

65. *Id.*

side). It reminds me of a friend who, after ten years as a legal-services lawyer, said that when he started his goal was to end poverty; ten years later, he was content to move poverty to the next county.

III. Edin and Lein's Findings

By contrast, *Making Ends Meet* attempts to provide hard data on which to base decisions. The authors provide a wealth of information, examining the lives of welfare mothers at a depth well beyond other studies.

As a starting point, *Making Ends Meet* challenges our basic assumption about the manner in which welfare recipients make financial decisions. According to Edin and Lein, welfare recipients look at the economics of welfare grants from a different perspective than welfare advocates or critics. While reformers tend to examine the size of welfare grants from a purely economic viewpoint, many welfare recipients consider parenting to be equally or more important. When there is a conflict between parenting and finances, recipients may make decisions that conflict with careful budgeting. From an economic viewpoint, purchasing name-brand sneakers for fifty dollars may seem foolish. Recipients explain the expenditure as a way of keeping their children out of gangs or criminal activity, which would be alternative ways of acquiring the same sneakers.⁶⁶ Similarly, recipients believe that their children need occasional treats, like trips to McDonald's, even if those trips exceed the monthly budget.⁶⁷

A. *How These Mothers Survive*

Of the 214 welfare-reliant mothers Edin and Lein interviewed, only one managed on welfare benefits alone.⁶⁸ After paying for housing and food, the typical family had \$90 per month left for all other expenses, including clothing, transportation, laundry, school supplies, furniture, over-the-counter medicines and toiletries, haircuts, telephone calls, diapers, and incidentals.⁶⁹

The only recipient who met her expenses with welfare benefits (i.e., the only one of the sample of 214 who was in compliance with welfare law) reportedly spent nothing on entertainment, alcohol, cigarettes, child care, school supplies, furniture, or transportation, and nothing for Christmas, birthdays, or any other special occasions. Her child often went hungry, lacked adequate winter clothing and had frequent absences from school. This model welfare mom was reported to child protective services for neglect by several of her neighbors.⁷⁰

How, then, do these mothers survive? In the case of welfare-reliant mothers, the authors found the fears of conservatives and liberals (as

66. See EDIN & LEIN, *supra* note 1, at 26.

67. See *id.* at 30.

68. See *id.* at 42.

69. See *id.* at 40.

70. See *id.* at 38-39.

hypothesized by Christopher Jencks)⁷¹ to be well founded: welfare mothers have unreported income. For example, the one-eighth of Edin and Lein's sample that came within \$50 per month of covering expenses did so to a person by receiving subsidized housing or sharing housing costs with friends or relatives.⁷² Half of this group received in-kind assistance from community organizations, family, and friends; and half sold food stamps for cash and purchased necessities from neighborhood fences at cut-rate prices.⁷³ Without these strategies, the authors estimate that the mothers would have spent an additional \$200-300 a month to keep their families together.⁷⁴ Thus, since welfare recipients cannot support their families on welfare grants, they find alternative and unreported sources of income, including work, child support, and regular and irregular support from other family members.⁷⁵ On the average, welfare payments, food stamps and Supplemental Security Income payments covered approximately 60 percent of welfare-reliant mothers' expenses.⁷⁶ Earnings from work made up 15 percent of welfare-reliant mothers' total monthly income, with 17 percent coming from unreported gifts, and another 4 percent from agency-based contributions.⁷⁷ Seventy-seven percent received unreported contributions from their personal networks, with over half receiving help from a boyfriend or the father of their children. Thirty-one percent received direct assistance from a community group.⁷⁸

Wage-reliant mothers, according to Edin and Lein, take pretty much the same approach. On the whole, low-wage working mothers met roughly two thirds of their needs with their official income.⁷⁹ None of the 165 wage-reliant mothers paid her expenses through her earnings.⁸⁰ On the average, after paying for shelter, food, transportation, and child care, a wage-reliant mother was \$8 short each month, before any consideration of clothing, laundry, cleaning supplies, school supplies, furniture, health care, hair cuts, telephone bills, diapers, and dental care.⁸¹ Wage-reliant mothers depended on assistance from parents or boyfriends, overtime work, a second job, or help from a social service agency.⁸² With an average of only 63 percent of monthly expenses covered by earnings from a main job, the mothers relied heavily on other legal and illegal work (7 percent of total monthly income), family and friends (5 percent), boyfriends (5 percent), absent fathers (10 percent) and cash vouchers from agencies (3 percent).⁸³

71. See Jencks, *supra* note 7, at xii.

72. See EDIN & LEIN, *supra* note 1, at 41.

73. See *id.*

74. See *id.* at 42.

75. See *id.* at 38-39.

76. See *id.* at 43.

77. See *id.*

78. See *id.*

79. See *id.* at 90.

80. See *id.* at 106.

81. See *id.*

82. See *id.* at 106-07.

83. See *id.* at 106-09.

Forty-six percent of the welfare-reliant mothers and 39 percent of the working mothers took side jobs adding, respectively, \$276 and \$227 per month.⁸⁴ The mothers reported enjoying the jobs, but found it hard to stay at reported work due to the heavy tax on earnings through reduction of various means-tested welfare benefits.⁸⁵

As a result, only 5 percent of the welfare recipients reported this work to the welfare department, and most of those only after they were caught by their case workers and forced to do so.⁸⁶ Those welfare-reliant mothers reporting their work earned an average of \$399 a month through limited, uncertain, and often seasonal hours, generally at minimum wage.⁸⁷ Forty percent of the welfare-reliant mothers who chose to work did not report their jobs at all.⁸⁸ In order to obtain off-the-books work, welfare-reliant mothers often accepted less than minimum wage;⁸⁹ these recipients earned \$229 per month⁹⁰ in jobs such as house cleaning, baby sitting, laundry, yard work, unregistered neighborhood taxis, cooking meals, and sewing.⁹¹ The earnings were unpredictable, but the income was critical.

More seriously illegal work was often eschewed, as most of the welfare-reliant mothers felt that selling sex, drugs, and stolen goods, was not compatible with good mothering.⁹² Since main goal of almost all welfare-reliant mothers was to keep the family together,⁹³ and since underground work presented the greatest danger to family unity, only 8 percent of the welfare-reliant sample participated in underground work, even though such work was easily available.⁹⁴

B. *The Role Of Fathers And Boyfriends*

Men played a critical role in helping to balance the mothers' budgets. Over half of the welfare-reliant mothers received contributions from men averaging \$180 per month,⁹⁵ while over half of the wage-reliant mothers received cash assistance from men averaging \$309 a month.⁹⁶

Contrary to some stereotypes, fathers played a significant role in this support. One third of the welfare-reliant mothers reported receiving contributions from absent fathers, three times what the national data on child support reflects.⁹⁷ The discrepancy is due to the large amount of unreported

84. See *id.* at 167.

85. See *id.*

86. See *id.* at 167-68.

87. See *id.* at 168.

88. See *id.* at 168, 172.

89. See *id.* at 173.

90. See *id.* at 172.

91. See *id.* at 174.

92. See *id.* at 176.

93. See *id.* at 177.

94. See *id.* at 176.

95. See *id.* at 154.

96. See *id.* at 150-51, 154.

97. See *id.* at 158-59.

contributions, which Edin and Lein call “covert support.”⁹⁸ Deception was common in regard to child-support authorities, with 60 percent of welfare-reliant mothers stating that they had lied about the identity of a father or had hidden crucial identifying information, thus making it difficult for the authorities to collect the child support which, in turn, made it easier for fathers to pay mothers directly.⁹⁹ In addition to receiving the money, some mothers believed that direct payment, without state intervention, would result in a better relationship between the father and child, such as allowing the father to provide clothing or money for special events directly.¹⁰⁰ The fathers, in turn, expected more regular visitation in exchange for providing covert support.¹⁰¹ The mothers believed that fathers should pay voluntarily.¹⁰² Although only one third of the recipients received cash from absent fathers, another third received regular in-kind assistance, like diapers, shoes, school clothes, or birthday and Christmas presents.¹⁰³ Occasionally, they would also purchase non-essential items like video cassette recorders and electric games for the children.¹⁰⁴ As a dramatic indictment of the government’s child support collection system, welfare-reliant mothers receiving covert support were more successful than the government, by \$141 to \$121 per month.¹⁰⁵ Of the \$121 per month, welfare-reliant mothers who cooperated with the system received an average of \$46 per month, the rest going to “repay” the welfare grant.¹⁰⁶ Forty-two percent of the wage-reliant mothers received contributions from absent fathers, compared to 33 percent of welfare-reliant mothers.¹⁰⁷ The big difference, however, was that the working mothers received an average of \$300 per month. The authors found that fathers’ contributions decreased as the children aged.¹⁰⁸

For conservatives opposed to single-parent child-rearing, the existence of these illegal relationships may be frustrating. At least these men, however, fathered the children involved. In many cases, support came from “boyfriends,” defined by the authors as men who had an ongoing romantic relationship with the mother but were not legally married to her and were not the father of any of her children. Boyfriends contributed financially to 29 percent of both welfare- and wage-reliant mothers, averaging \$195 per month.¹⁰⁹ A boyfriend seldom stayed in the home unless he contributed cash and in-kind goods to the household,¹¹⁰ as many mothers told Edin and Lein,

98. *Id.* at 159.

99. *See id.* at 160.

100. *See id.* at 161.

101. *See id.*

102. *See id.* at 162.

103. *See id.* at 162-63.

104. *See id.* at 164.

105. *See id.* at 165.

106. *See id.*

107. *See id.*

108. *See id.* at 166.

109. *See id.* at 154-55.

110. *See id.* at 155.

men who “don’t pay, can’t stay.”¹¹¹ The need for steady income and the erratic nature of the contributions of boyfriends created what some mothers called “serial boyfriends.”¹¹² The boyfriends were provided with a place to stay, occasional meals, and the opportunity to serve as a surrogate father for the children. Many of the boyfriends had been cut off from their own biological children that they failed to support.¹¹³

Whether welfare reform weakens these relationships or strengthens them remains to be seen. What is clear, however, is that these relationships were not always positive. In many cases, the mothers had to choose between danger and destitution, since many men brought domestic violence, drugs, alcohol, undesirable companions, and illegal activity into the mothers’ homes.¹¹⁴ According to Randy Albeda, associate professor of economics at the University of Massachusetts at Boston, 20 percent of all welfare recipients have been victims of domestic violence within the past 12 months, and two thirds have been abused by a husband or boyfriend during their adult lives.¹¹⁵ He argues that “[t]he limited choices and terms of welfare reform will likely mean that many women choose to return to an abusive situation to make ends meet.”¹¹⁶

C. *Welfare Imposes Serious Hardships, but Low-Wage Work is Worse*

Welfare-reliant families undergo serious material hardship. With the exception of Boston, one third of the families interviewed ran out of food during the previous twelve months.¹¹⁷ Fifteen percent of the families went hungry, with the rest negotiating food from food pantries or from family and friends.¹¹⁸ If the sample is representative, this translates to roughly two million children going hungry sometime during each year.¹¹⁹ Twelve percent of the mothers kept their children home from school during cold weather because of a lack of adequate winter clothing.¹²⁰ Approximately one third of the families had their telephone disconnected or were without telephone service entirely during the previous year.¹²¹ Seventeen percent had electricity or gas shut off during the past year.¹²² Between 5 percent and 9 percent of the families in each city had not seen a doctor for necessary medical care due to lack of funds.¹²³ Virtually none of the respondents could afford routine dental

111. *Id.*

112. *Id.* at 157.

113. *See id.*

114. *See id.* at 158.

115. Randy Albeda, *What Has Happened to Those Who Left the Massachusetts Welfare Rolls?*, BOSTON GLOBE, Oct. 30, 1997, at A23.

116. *Id.*

117. *See* EDIN & LEIN, *supra* note 1, at 48.

118. *See id.* at 49.

119. *See id.* at 50.

120. *See id.*

121. *See id.*

122. *See id.* at 51.

123. *See id.*

care.¹²⁴ One third of the children lived in poor-quality housing.¹²⁵ Sixteen percent of the families had experienced homelessness during the preceding twenty four months (including stays in shelters, abandoned buildings, or with relatives without a long-term place to stay).¹²⁶ One fourth of the families doubled up in housing with a friend or relative for financial reasons.¹²⁷

Perhaps the most surprising finding is that working mothers experienced more hardship than welfare-reliant mothers.¹²⁸ Although working mothers spent significantly more than welfare-reliant mothers on housing, medical care, clothing, transportation, child care, school supplies, and miscellaneous expenses,¹²⁹ their expenses were also higher. Most such families faced shortages in food (24 percent),¹³⁰ winter clothing (15 percent), telephone disconnection (over 33 percent), financial inability to see a doctor when necessary (33 to 50 percent), lack of medical insurance (20 percent), housing-quality problems (25 percent), eviction for non-payment of rent (8 percent), homelessness during the previous twelve months (12 percent), and doubling up with a friend or relative (24 percent).¹³¹

D. *Welfare As A Rational Choice*

Making Ends Meet supports the conservative notion that poor mothers rationally assess the system and consider how much they would need to earn to offset added costs of work. In considering whether to go to work or stay on welfare, the vast majority of the sample compared prospective wages to cash welfare and food stamp benefits; considered potential losses in means-tested benefits such as housing subsidies; calculated the child care, medical care, transportation, and clothing expenses necessary for work; and considered the effect of a job on their ability to supplement their income.¹³² In balancing the values of welfare and work, they were risk averse with an awareness of the potentially serious hardship discussed above.

Contrary to popular belief, however, these mothers were also savvy about the job market. They were aware of job options, with 83 percent of the sample having had work experience (an average of 5.6 years).¹³³ In addition, in order to stay employed, many of the mothers worked in seasonal jobs, which required holding three or four jobs a year. The jobs were not stable and thus subject to frequent layoffs.¹³⁴ Moreover, if they took a job and lost it, they would be without income for some time while the welfare department

124. *See id.* at 52.

125. *See id.* at 52.

126. *See id.* at 53.

127. *See id.* at 54-55.

128. *See id.* at 117-18.

129. *See id.* at 90-92.

130. *See id.* at 112.

131. *See id.* at 112-17.

132. *See id.* at 63-65.

133. *See id.* at 63.

134. *See id.* at 127-33.

redetermined their eligibility. Thus, after comparing welfare to work, most of the mothers believed that they would be worse off with a low-wage job—a belief corroborated by Edin and Lein.¹³⁵ The majority of the working mothers reported that they were no better off financially as a result of working than they were while collecting welfare.¹³⁶ Despite these difficulties, the majority of mothers reported a greater sense of self-esteem and a great reluctance to return to welfare.¹³⁷ Edin and Lein stress that low-wage work does not pay a living or family wage, and that low-wage jobs do not provide access to better jobs.¹³⁸

This result prevented mothers from working despite their strong desire to do so. A large majority (86 percent) of the sample claimed that they planned to leave welfare for work, but 73 percent stated that they could not afford to accept the jobs available.¹³⁹ The mothers who felt able to work immediately had more education and work experience than the rest of the sample, and their children were either older, or could stay with friends or relatives for child care.¹⁴⁰ Two thirds of those planning to leave welfare for work could not do so because of a lack of access to low-cost child care.¹⁴¹ Even those who did want to work immediately sought wages of \$8-10 per hour within two years, but jobs in that range were not generally available.¹⁴² Although the welfare system would subsidize the cost of child care for a year, the mothers doubted they would be able to assume the full cost after the subsidy had lapsed.¹⁴³

While many AFDC recipients also worked, Edin and Lein's sample of working mothers excluded those receiving cash benefits. Many did, however, receive food stamps, housing subsidies, and Medicaid.¹⁴⁴ As Edin and Lein point out, receipt of these subsidies is a mixed blessing, as each of the subsidies is means-based, decreasing as income increases.¹⁴⁵ Put another way, not only does the welfare recipient lose cash benefits if she works, she has the added disincentive of increased food, housing and medical costs, not to mention work expenses. The lost subsidies serve as a steep tax on all earnings exceeding welfare cash benefits. For example, for those workers living in subsidized housing, every "extra" dollar resulted in a thirty-cent increase in rent.¹⁴⁶ Food stamps were also reduced with increased earnings; medical benefits terminated for those families exceeding 133 percent of poverty.¹⁴⁷ Most wage-reliant mothers were not eligible for Medicaid and did not have

135. *See id.* at 67-69.

136. *See id.* at 127-28.

137. *See id.* at 139-140.

138. *See id.* at 67-73.

139. *See id.* at 78.

140. *See id.* at 78.

141. *See id.* at 80.

142. *See id.* at 79.

143. *See id.*

144. *See id.* at 102-05.

145. *See id.* at 105.

146. *See id.*

147. *See id.* at 103, 105.

other insurance programs.¹⁴⁸

E. *The Job Market, Not A Culture Of Poverty, As The Culprit*

Based on their findings, Edin and Lein disagree with cultural theories of poverty. Their results indicated that these women had to work extremely hard to make ends meet, moved back and forth a great deal between work and welfare, and found obstacles such as day care and lack of training insurmountable barriers to work. While the observed behaviors differed at different sites and with different groups, the authors argue that the strongest conclusion from the data is that the women's behavior "reflected reasoned calculations of which alternative would be likely to expose their children to the least harm."¹⁴⁹ Edin and Lein conclude that the most important obstacle for these mothers is their reduced access to opportunity structures.¹⁵⁰ In other words, Edin and Lein conclude that the problem with welfare as we knew it was not psychological dependency or deviant behavior, but a failure of the labor market.¹⁵¹

More specifically, Edin and Lein's findings cast doubt on the idea that welfare allowed lazy mothers to avoid work, and that welfare reform will force these women to obtain advantageous job experience and training. After all, the majority of women in the sample had spent considerable time in the workforce, and the vast majority of those who had worked were unable to use that work experience to get better jobs.¹⁵² Even those mothers who had been working for several years remained in low-wage jobs.¹⁵³ Nor did training provide job opportunities;¹⁵⁴ many of the sample who worked at unskilled or semi-skilled jobs (cashiers, stock clerks, office clerks, nurse's aides and child care workers),¹⁵⁵ were skilled workers and graduates of training programs who could not find skilled jobs.¹⁵⁶ Even the one third of the sample with skilled jobs as secretaries, receptionists, cosmetologists, maintenance workers, licensed health care workers, restaurant cooks, and teachers' aides, did not earn enough to prevent the hardships described above. The women who had experimented with short-term skills programs felt that these programs improve their opportunities and that only two- or four-year degrees would help their employment prospects.¹⁵⁷ This was a difficult proposition for work-reliant mothers, who already faced the substantial difficulties of single parenting and full-time work.

148. *See id.* at 105.

149. *Id.* at 220-221.

150. *See id.* at 193-94.

151. *See id.* at 220.

152. *See id.* at 69.

153. *See id.* at 128-29.

154. *See id.* at 73-75.

155. *See id.* at 101.

156. *See id.*

157. *See id.* at 136-38.

F. *Helping Welfare Mothers Get To Work*

So how can single mothers successfully leave welfare to go to work? Edin and Lein divide this question into three critical sub-questions: (1) How could these women afford to work? (2) Did the working mothers experience the same hardships that caused other single mothers to return to welfare? (3) If the wage-reliant mothers did experience the same problems, how did they overcome them?¹⁵⁸ If policy makers are able to read only a portion of this book, they should start with the answers to these three questions. If welfare reform is to have any chance of success, our policy must provide the type of assistance that will allow welfare-reliant mothers to surmount these problems.

Edin and Lein found that wage-reliant mothers were able to work because of special circumstances that reduced the added costs of work, including having only school-aged children, receiving substantial and regular child-support payments, paying little for rent, child care or transportation, and having access to full health care.¹⁵⁹ Ninety percent of Edin and Lein's sample reported at least one of these special circumstances; two thirds reported two or more, and nearly one half reported three or more.¹⁶⁰ For many of the mothers, child support was the key factor. Free or reduced rent came in the form of a housing subsidy or of living with family or friends or of living in housing owned by family or friends. Only 5 percent of the working mothers paid market rates for either all-day or after-school child care.¹⁶¹ Family and friends were a primary source for free or low-cost child care. Use of family members and friends did, however, often limit the mothers' ability to find work and sometimes resulted in limited ability to take a better job.¹⁶² Summer vacations also presented a problem for many mothers whose children attended school.¹⁶³

More generally, the availability of cash contributions from personal networks was a critical factor in providing an opportunity to move from welfare to work,¹⁶⁴ as cash contributions made other survival strategies unnecessary and allowed the mothers more time for education and training.¹⁶⁵ While the vast majority of the mothers sought full financial independence, none earned enough to make this possible, and instead relied on other strategies for survival. After work, the favored strategy was cash help from members of their personal networks. The preference was to receive financial assistance from their children's fathers; in the case of welfare recipients, this required violating welfare reporting rules and evading formal child-support procedures.¹⁶⁶ The greatest source of support in the mothers' personal

158. *See id.* at 121.

159. *See id.* at 121-22.

160. *See id.* at 122.

161. *See id.* at 122-26.

162. *See id.* at 123-26.

163. *See id.* at 123-25.

164. *See id.* at 194-202.

165. *See id.* at 216.

166. *See id.* at 144-45, 158-67.

networks was, however, not their children's fathers, but their own mother, followed by siblings and the paternal grandmother, even when the father was absent.¹⁶⁷ The third best alternative was a side job, usually for cash work or in the informal economy, which sometimes required a false ID or false social security number.¹⁶⁸ The fourth best alternative was seeking help from social service agencies or private charities, which ranked low because it was seen as humiliating and comparable to welfare.¹⁶⁹ The final option was selling sex, drugs, or stolen goods.¹⁷⁰ Most of the mothers who reported resorting to this last alternative moved to one of the more preferable alternatives when possible.¹⁷¹

IV. A Critique of Edin and Lein's Methodology

A word about Edin and Lein's methodology. In order to encourage recipients to talk with them, Edin and Lein followed a methodology Edin developed while working for Christopher Jencks as a graduate student at Northwestern University. After finding reluctance on the part of welfare recipients to speak with her, she asked people working with welfare recipients to introduce her to the recipients, who in turn would introduce her to other recipients. Edin and Lein used this technique in studies in Chicago, Boston, Charleston and San Antonio.¹⁷²

Jencks notes that the result was that "they over-sampled people with a lot of friends, especially friends on welfare or with low wage jobs," but adds that "there is no obvious reason why that fact should distort conclusions about single mothers' budgets."¹⁷³ I am not so sure. While Christopher Jencks (and Kathryn Edin and Laura Lein) know much more than I do about methodology of this sort, I believe that this particular methodology tends to identify a peer group that emphasizes competence and is not necessarily representative of all welfare recipients.

For the last twenty five years, the large majority of my clients in a high-volume law practice have been welfare recipients. If I were asked to introduce Edin and Lein to one of my clients, the pool would be limited to those clients who were willing to meet with Edin and Lein. I would tend to think of clients who were more verbal, had chosen to speak about welfare issues and were willing to share their stories, perhaps someone who had testified before the state legislature or had talked with the press. Their references, in turn, would likely be their friends or acquaintances with similar experiences. The sample is not random and, in all likelihood, identifies a disproportionate number of the most competent and highest skilled members of the overall pool.

167. *See id.* at 149-50.

168. *See id.* at 148, 167-78.

169. *See id.* at 146, 178-80.

170. *See id.* at 146, 176-78.

171. *See id.*

172. *See id.* at 9-18; DeParle, *supra* note 3, at 32.

173. Jencks, *supra* note 7, at xiii.

Whether the pool is representative or not has a dramatic effect on Edin and Lein's findings. If Edin and Lein's sample is representative, their findings cannot be reconciled with William Julius Wilson's views on the disappearance of work, work skills, and the resulting culture of poverty in the inner-cities.¹⁷⁴ Wilson argues that the lack of attachment to the formal job market has drastic consequences.¹⁷⁵ The formal economy is characterized by regularity and discipline, which provides the framework for daily behavior. In a low-employment neighborhood, the overall effect is a heightened sense of self-doubt, of the ability to achieve social goals, decreased motivation, and an increased willingness to accept welfare as a legitimate alternative to work.¹⁷⁶ (Wilson cites an unpublished paper by Kathryn Edin, with findings similar to *Making Ends Meet*, for the proposition that many women make *rational* decisions to choose welfare over low-wage jobs.)¹⁷⁷

On the other hand, if Edin and Lein's sample is not representative, their conclusions may be consistent with Wilson's culture of poverty. Wilson emphasizes jobs as the means by which poor people learn life skills while they earn their livelihood. Edin and Lein conclude that women in their sample, most of which has worked, have developed those skills. Given Wilson's citation of Edin as evidence that the culture of poverty is not universal, this reconciliation is not a stretch. However, while this does not diminish the value of Edin and Lein's findings as to those recipients who possess the necessary job skills, it does bring into question the universality of their conclusions. To the extent a culture of poverty does exist, Edin and Lein's conclusions do not apply to those who have not worked and do not have work skills.

In addition, Edin is a particularly empathetic interviewer. Her children play with her subjects' children. In her interviews she consciously identifies with the interviewee. She has been quoted as saying, "I've always just felt an overwhelming affinity with the people I interview. I always felt, 'Wow, they're not that much different from me.'"¹⁷⁸

Well, yes and no. As a clinical teacher, I believe in and encourage passion on behalf of clients.¹⁷⁹ There is nothing surprising about an advocate identifying with her clients' cause. Edin's identification, however, presents two problems. First, Edin and Lein are studying, not representing the members of their pool. Second, the notion that the subjects are "not that much different" from Edin (or Lein) is just not true. No matter how much I identify with my clients, I am always conscious that I am male, white, middle class, employed, mobile and highly educated. Most important, I know that no matter how much time I spend in a housing project or shelter, where I might be the only white

174. See WILLIAM JULIUS WILSON, WHEN WORK DISAPPEARS: THE WORLD OF THE NEW URBAN POOR (1997).

175. See *id.* at 51-86.

176. See *id.*

177. See *id.* at 79-85.

178. DeParle, *supra* note 3, at 32 (quoting Kathryn Edin).

179. See generally Robert A. Solomon, *The Clinical Experience: A Case Analysis*, 22 SETON HALL L. REV. 1250 (1992).

person, I go home at the end of the day to my safe neighborhood, with modern conveniences and food on the shelves. In a clinical setting, even as we encourage compassion toward our clients, we talk about difference as well. Why is it that our clients miss so many appointments? Why are some clients late for court appearances, no matter how important?

Peter Rossi's study of homelessness in Chicago found that "almost all" the homeless in the study were eligible for General Assistance and substantial minorities were eligible for one or another benefit program.¹⁸⁰ Yet, only twenty-two percent received General Assistance payments and fewer than seven percent received Supplemental Security Income.¹⁸¹ Ninety-six percent of the Chicago Homeless eligible for AFDC payments had applied, but only seven percent were receiving benefits. By "an overwhelming" proportion, those eligible that were not receiving benefits had been denied or terminated for "technical" violations like failing to appear at appointments or failing to register.¹⁸² Those statistics sound much more like Wilson's culture of poverty than Edin and Lein's work-ready sample. Moreover, the failure or inability to negotiate bureaucracies is a dramatic difference between the Edin and Lein and the Rossi pools.

The implications of difference, and the failure to recognize difference, are most dramatic in Edin and Lein's subjective interpretation of welfare-reliant mothers' expenditures. While we might accept the expenditure of \$50 for children's sneakers as a parenting and not an economic decision,¹⁸³ many of us react differently to the expenditure of \$22 per month for cigarettes and alcohol.¹⁸⁴ Edin and Lein do not discuss expenditures of this sort as a question of personal responsibility, but more as an issue of self-respect.¹⁸⁵

What does all this mean? Ultimately, there is good news and bad news. The good news is that Edin and Lein's sample, even if it does not represent the entire welfare-reliant population, differs from popular stereotypes in positive ways. If Edin and Lein are right, many welfare-reliant mothers have greater skills, more ambition, and engage in more long-term planning than commonly thought. If welfare mothers are prevented from working by identifiable impediments like inadequate subsidies for long-term education and training, inadequate child care subsidies and discouraging direct child-support payments, then we could construct a successful policy by removing these obstacles.

V. Implications for the Future

The bad news is that we have gone in the opposite direction, instituting a policy based almost solely on "personal responsibility," which seems to be

180. PETER H. ROSSI, *DOWN AND OUT IN AMERICA* 196 (1989).

181. *See id.*

182. *See id.* at 197.

183. *See* EDIN & LEIN, *supra* note 1, at 26.

184. *See id.* at 30.

185. *See id.* at 31.

based on running the obstacle course as a rite of passage. If, however, future changes in welfare policy are geared toward removing obstacles to allow more people to move from welfare to work, Edin and Lein have shown us where to direct our resources.

In a period of welfare contraction in the name of reform, the Wisconsin experiment is a notable exception. Like other states, Wisconsin has emphasized work as a substitute for welfare. Wisconsin's program, however, has incorporated increased access to child care, health care and state-funded jobs. Before the institution of this program, Wisconsin spent about \$9,700 for each welfare family. In 1997, the first year of the new program, Wisconsin will spend about \$15,700 per family, an increase of 62 percent.¹⁸⁶ Wisconsin may prove to be the most interesting laboratory for future changes in welfare law.

We can safely assume that both Congress and state legislatures will continue to tinker with welfare reform, adjusting perceived inadequacies, adding or eliminating programs, and earmarking funds for specific purposes. While *Making Ends Meet* may have its flaws, it is still a wonderful addition to our body of knowledge of welfare recipients and ways to move a greater percentage of the population from welfare to work. I would be more comfortable about future legislation if I knew our federal and state legislators were reading this book. Perhaps they will.

186. See DeParle, *supra* note 19, at 33.